Remarks

This Application has been carefully reviewed in light of the Office Action mailed July 29, 2003. Applicant appreciates the Examiner's consideration of the Application. Applicant believes all pending claims are allowable over the prior art of record. However, to expedite issuance of the Application, Applicant has made clarifying amendments to Claims 1-37. Certain of these amendments have not narrowed the claims, and none are considered necessary for patentability. Applicant respectfully requests reconsideration and allowance of all pending claims.

Information Disclosure Statement

Applicant mailed two Information Disclosure Statements (IDSs) and accompanying PTO-1449 forms on July 17, 2003 and on July 23, 2003. Applicant notes that the Examiner has not indicated consideration of the references listed on the PTO-1449 forms. Copies of all papers (excluding the references) submitted in connection with these IDSs are attached for the Examiner's convenience. Due to the quantity and size of the references, Applicant has not attached additional copies of the references. Applicant respectfully requests the Examiner to indicate consideration of the references listed on the PTO-1449 forms.

Claims 23 and 37 are Allowable Under 35 U.S.C. § 101

The Examiner rejects Claims 23 and 37 under 35 U.S.C. § 101 indicating that the disclosed invention is inoperative and lacks utility. Although Applicant believes Claims 23 and 37 recite allowable subject matter as written, Applicant has made clarifying amendments to Claims 23 and 37. Support for these clarifying amendments can be found at least at page 21, lines 22-25 of the Specification. Thus, these clarifying amendments do not constitute new matter. Applicant respectfully requests withdrawal of this rejection of Claims 23 and 37 under 35 U.S.C. § 101.

Claims 23 and 37 are Allowable Under 35 U.S.C. § 112, Second Paragraph

The Examiner rejects Claims 23 and 37 under 35 U.S.C. § 112 , second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant does not necessarily agree with the Examiner's interpretation of Applicant's claims. For example, Applicant does not necessarily agree that Claims 23 and 37 "can be constructed as nothing more than the instruction contents of a program" and disagree that it is unclear "as to how these un-interpreted instructions can carry out the alleged functions of their respective operations" as the Examiner asserts. (Office Action, Page 3) However, as discussed above with reference to the rejection of Claims 23 and 37 under 35 U.S.C. § 101, Applicant has made clarifying amendments to Claims 23 and 37. Applicant respectfully requests withdrawal of this rejection of Claims 23 and 37 under 35 U.S.C. § 112, second paragraph.

Claims 1-37 are Allowable Over *Chipman*

The Examiner rejects Claims 1-37 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,038,668 to Chipman, et al. ("*Chipman*"). Applicant respectfully disagrees.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. § 2131. In addition, "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); M.P.E.P. § 2131 (emphasis added). *Chipman* fails to disclose, teach, or suggest at least the following limitations recited in Claim 1, as amended[1]:

- determine one or more classes of the first schema with which at least a portion of the target data should be associated *based on an automatic comparison*, without translating the target data from the second schema to the first schema, between the target data and the product attributes of the ontologies of the first schema or between the target data and values for one or more of the product attributes of the ontologies of the first schema; and
- associate the at least a portion of the target data with one or more classes of the first schema *in response to determining, based on the automatic comparison*, the

[1] Support for Applicant's clarifying amendments and arguments can be found at least at page 21, lines 7-25 and throughout the description of FIGURE 6 located at page 21, line 26 through page 28, line 25 of the Specification. Thus, these clarifying amendments do not constitute new matter.

one or more classes of the first schema with which the at least a portion of the target data should be associated.

In contrast, *Chipman* discloses a networked catalog search, retrieval, and information correlation and matching system, which allows suppliers to publish information in electronic catalogs and structure the information in an object oriented representation distributed across a network of computers. (Abstract) According to *Chipman*, a scanning engine scans computers having accessible pages to locate all pages having *the predefined organizational structure* as including class, attribute, and methods information. (Column 3, Lines 27-30) To enable each information supplier to provide requisite information on its pages, a "sector" portal establishes common terms (class, attribute, and method names) for the suppliers and consumers to use. (Column 4, Lines 9-12) Thus, an information supplier must use common, predefined terms in order to supply information to the portal. *Chipman* further states, "The sector portal is so named because each industry sector is contemplated to have at least one governing portal from which all other portals in that industry sector derive their common vocabulary, taxonomy, or ontology." (Column 4, Lines 12-16)

To provide information to portal 102, suppliers 104 and 105 encode their pages using a predefined protocol. Use of the protocol encourages placing available information in an organized format. The protocol may include tag codes, which describe the information contained therein. (Column 6, Lines 7-12) A tag (e.g., <UC*>, where "*" may include additional tags) is the identifier to the portal that a page is in an organizational format usable by the portal. (Column 6, Lines 27-29) A web crawler associated with the portal periodically scans the web for pages and parses the pages. (Column 7, Lines 17-19) The parsed pages containing a usable organization structure (e.g., identified as including the <UC*> tags) are stored in a knowledge base for indexing and future retrieval. (Column 7, Lines 20-23) A portal as disclosed in *Chipman* also includes a protocol translator that facilitates supplier publication of HTML pages that are compliant with the protocol and the industry common vocabulary or ontology. (Column 8, Lines 42-45)

According to *Chipman*, the supplier of information may be a high end supplier or a low end supplier, each type submitting information to the portal in a different way. In the

case of a low end supplier (who lacks the capability or desire to support organized pages locally), pages 307 are retrieved from the portal, pages 307 including at least one template for populating and submitting back onto web 101. (Column 8, Lines 51-57) Template pages 307 include at least one initial set of class, attribute, and method identifiers for population. (Column 8, Lines 58-60) Thus, the supplier posts information by simply filling out a predefined template that identifies what supplier information corresponds to each of the class, attribute, and method entries.

In the example provided in *Chipman*, a supplier may request from the portal the design template for electric motors, and in reply, the protocol translator may retrieve the desired class/subclass, attribute, and method ontologies. The ontologies are translated into an HTML form and sent to the supplier's internet browser as template pages, which the supplier then populates (with supplier information) as completed pages. The completed pages are forwarded back to the portal where the pages are parsed and added to the knowledge base. (*See*, Column 8, Line 60 through Column 9, Line 3) Thus, the parser of the portal knows exactly what information corresponds to class, attribute, and method, respectively, because the supplier of the information merely filled in a template.

Alternatively, a high end supplier according to *Chipman* has the capability to publish its own protocol-compliant pages. (Column 10, Lines 21-22) However, the high end supplier is still simply filling in a predefined template. According to *Chipman*, a supplier requests a template page, which may be transferred to the protocol translator where the template page is combined with data (class, method, attribute, etc.) specifying the supplied products and processes from the supplier. (Column 10, Lines 26-30)

Thus, at best, *Chipman* allows an information supplier to submit information in a predefined template (i.e. tagged in a particular, predefined way) to be published and searched. The only mapping between the supplier's information and the predefined ontologies at the portal that occurs is when the supplier manually looks at the template to determine what information should be tagged "class," what information should be tagged "attribute," and what information should be tagged "method."

In contrast to Applicant's recited data association module, *Chipman* requires human action to determine what supplier information should be input into the template as each of class, attribute, and method. Furthermore, *Chipman* fails to disclose, teach, or suggest a data association module operable to "determine one or more classes of the first schema with which at least a portion of the target data should be associated *based on an automatic comparison, without translating the target data from the second schema to the first schema*, between the target data and the product attributes of the ontologies of the first schema or between the target data and values for one or more of the product attributes of the ontologies of the first schema." There simply is no such "comparison" disclosed in *Chipman*, much less the "automatic comparison" recited in Claim 1, because the system in *Chipman* does not need such a comparison. A supplier in *Chipman* merely fills out a predefined template, which specifies what information is a class, what information is an attribute, and what information is a method, to make the supplier's information available to the portal (and to other users via the web). The system of *Chipman* does not need to look at what information the supplier is actually submitting, because the supplier has labeled the submitted information by placing it in a particular portion of the template.

The Examiner compares a Tool Suite disclosed in *Chipman* to certain limitations recited in Claim 1. (Office Action, Page 5) However, Applicant respectfully submits that the tools discussed in the cited portion of *Chipman* are unrelated to these limitations. Certain users of the system discloses in *Chipman* may search supplier provided information to for components to be included in end products. These tools are available to these users. For example, the tools may include a requirements integration and verification tool, which assures that assembled design objects (end items) meet individual requirements and comply with predefined rules. (Column 13, Lines 43-46) As another example, the tools may include an affordability monitor, which determines if the cost of the included items and the processes required for a combination of items exceeds predetermined budgets. (Column 13, Lines 46-48). However, nowhere do these tools "determine one or more classes of the first schema with which at least a portion of the target data should be associated *based on an automatic comparison, without translating the target data from the second schema to the first schema*, between the target data and the product attributes of the ontologies of the first schema or

between the target data and values for one or more of the product attributes of the ontologies of the first schema," as recited in Claim 1 as amended.

Because *Chipman* fails to disclose, teach, or suggest the recited "an automatic comparison" or even a "comparison," *Chipman* necessarily fails to disclose, teach, or suggest a data association module operable to "associate the at least a portion of the target data with one or more classes of the first schema *in response to determining, based on the automatic comparison*, the one or more classes of the first schema with which the at least a portion of the target data should be associated," as recited in Claim 1 as amended.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of independent Claim 1, together with all claims that depend from independent Claim 1. For at least the reasons stated with regard to Claim 1, Applicant respectfully requests reconsideration and allowance of independent Claims 12, 23, and 34-37, together with all claims that depend from independent Claims 12, 23, and 34-37.

Conclusion

Applicant has made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicant respectfully requests full allowance of all pending claims.

If the Examiner believes a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Christopher W. Kennerly, Attorney for Applicant, at the Examiner's convenience at (214) 953-6812.

Applicant believes no fees are due; however, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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